United Nations S/2001/93

Security Council

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Draft resolution

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1311 (2000) of 28 July 2000, and the statement of its President of 14 November 2000 (S/PRST/2000/32),

Having considered the report of the Secretary-General of 18 January 2001 (S/2001/59),

Recalling the conclusions of the Lisbon (S/1997/57, annex) and Istanbul summits of the Organization for Security and Cooperation in Europe (OSCE) regarding the situation in Abkhazia, Georgia,

Stressing that the continued lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Deeply concerned that, although currently mostly calm, the general situation in the conflict zone remains very volatile,

Noting the holding of the twelfth session of the Coordinating Council of the Georgian and Abkhaz sides on 23 January 2001,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Welcoming the important contributions that the United Nations Observer Mission in Georgia (UNOMIG) and the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS peacekeeping force) continue to make in stabilizing the situation in the zone of conflict, *noting* that the working relationship between UNOMIG and the CIS peacekeeping force has remained very close, and *stressing* the importance of close cooperation between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 18 January 2001;

2. *Strongly supports* the sustained efforts of the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator as well as of the Group of Friends of the Secretary-General and of the OSCE, to promote the stabilization of the situation and the achievement of a comprehensive political settlement, which must include a settlement of the political status of Abkhazia within the State of Georgia;

3. *Strongly supports*, in particular, the intention of the Special Representative to submit, in the near future, the draft paper containing specific proposals to the parties on the question of the distribution of constitutional competences between Tbilisi and Sukhumi as a basis for meaningful negotiations;

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4. *Stresses* the need to accelerate work on the draft protocol on the return of the refugees to the Gali region and measures for economic rehabilitation, as well as on the draft agreement on peace and guarantees for the prevention and for the non-resumption of hostilities;

5. *Calls upon* the parties, in particular the Abkhaz side, to undertake immediate efforts to move beyond the impasse and to engage into negotiations on the core political questions of the conflict and all other outstanding issues in the United Nations-led peace process;

6. *Welcomes* the readiness of the Government of Ukraine to host the third meeting on confidence-building measures, *welcomes also* the commitment of both sides to the conflict to meet in Yalta in March 2001, and *notes* the important contribution a successful conference would make to the peace process;

7. *Reaffirms* the unacceptability of the demographic changes resulting from the conflict, and *reaffirms also* the inalienable right of all refugees and displaced persons affected by the conflict to return to their homes in secure and dignified conditions, in accordance with international law and as set out in the Quadripartite Agreement of 4 April 1994 (S/1994/397, annex II);

8. *Urges* the parties, in this context, to address urgently and in a concerted manner, as a first step, the undefined and insecure status of spontaneous returnees to the Gali district, which remains an issue of serious concern;

9. *Expresses its satisfaction* with the joint assessment mission to the Gali district, carried out under the aegis of the United Nations, and *looks forward* to the careful consideration of the mission's recommendations regarding human rights, law enforcement and education;

10. *Condemns* all violations of the Moscow Agreement of 14 May 1994 on a Ceasefire and Separation of Forces (S/1994/583, annex I), and *notes* with particular concern the Abkhaz military exercise conducted in November 2000;

11. *Deplores* the rise in criminality and activities of armed groups in the conflict zone, which constitutes a major destabilizing factor affecting the overall situation, *calls upon* the parties to increase their efforts at curbing them and to cooperate in good faith using the means provided by the Coordinating Council mechanism, *condemns* the recent killings of civilians and Abkhaz militiamen, and *calls upon* both sides, in particular the Georgian side, to investigate these incidents and bring to justice those responsible;

12. *Condemns* the abduction of two UNOMIG military observers on 10 December 2000, *recalls* that the Georgian and the Abkhaz sides bear the primary responsibility for the security of UNOMIG, the CIS peacekeeping force and other international personnel, and *appeals* to them to bring to justice the perpetrators of the hostage-taking incidents of October 1999, June 2000 and December 2000;

13. *Calls upon* the parties to ensure security and freedom of movement of the United Nations and other international personnel;

14. *Welcomes* UNOMIG keeping its security arrangements under constant review in order to ensure the highest possible level of security for its staff;

15. *Decides* to extend the mandate of UNOMIG for a new period terminating on 31 July 2001, subject to a review by the Council of the mandate of UNOMIG in the event of any changes that may be made in the mandate or in the presence of the CIS peacekeeping force, and *expresses* its intention to conduct a thorough review of

the operation at the end of its current mandate, in the light of steps taken by the parties to achieve a comprehensive settlement;

16. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of this resolution on the situation in Abkhazia, Georgia, and *requests also* the Secretary-General to provide for a briefing within three months on the progress of the political settlement, including on the status of the draft paper his Special Representative intends to submit to the parties as referred to in paragraph 3 above;

17. *Decides* to remain actively seized of the matter.